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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 PAULA R. FELIX,

10 Plaintiff,

11 v.

12 MICHAEL J. ASTRUE, Commissioner of  
13 Social Security,

14 Defendant.

Case No. C12-74-TSZ-JPD


REPORT AND RECOMMENDATION

15 Based on the stipulated motion of the parties, it is hereby ORDERED that the above-  
16 captioned case is REMANDED for further administrative proceedings pursuant to sentence six  
17 of 42 U.S.C. § 405(g), because counsel for the Commissioner has been advised by the agency  
18 that significant portions of the recording of the hearing held on March 4, 2010, are inaudible.  
19 Dkt. 8.

20 On remand, the Administrative Law Judge shall associate this claim with a subsequent  
21 claim for Title II benefits filed on January 6, 2012, conduct a *de novo* hearing, and render a new  
22 decision. If the final decision of the Commissioner on remand is not fully favorable, plaintiff  
23 may seek judicial review by moving to reopen this case rather than by filing a new complaint.  
24 This Court shall retain jurisdiction.

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2 A proposed order accompanies this Report and Recommendation.

3 DATED this 16th day of March, 2012.

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5 JAMES P. DONOHUE  
6 United States Magistrate Judge  
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